

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Cade, Dominique :
Nicolas, et al
Examiner: Edmund H. Lee
APPLICATION NO.: 10/795898 :
Group Art Unit: 1732
FILING DATE: 03/08/2004 :
TITLE: APPARATUS FOR AND METHOD
OF SEALING CAPSULES

Filed by EFS
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECALCULATION OF PATENT TERM ADJUSTMENT
IN VIEW OF Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010)

Applicant hereby provides the standard form requesting the USPTO to recalculate PTA in view of Wyeth v. Kappos, No. 2009-1120 (Fed. Cir., Jan. 7, 2010). It is believed that no fee is due, because the patent granted before March 2, 2010. To the extent any fee is due, the USPTO is requested to charge any fee due and credit any over payment to Charge Account 16-1445

To the extent necessary, Applicant incorporates herein by reference arguments previously made in a petition filed with the Issue Fee on 21 September 2009.

Respectfully submitted,

/Mary J. Hosley/
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Date: 10 March 2010

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